

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS:

Bill J. Pope
~~Jeffrey~~
Jeffrey K. Taylor
Richard H. Dixon
Clayton F. Gardiner
Louis M. Pope
Dean C. Blackburn
Michael A. Vail
Kenneth M. Jensen

ASSIGNEE:

Diamicron, Inc.

DOCKET:

6056 P

TITLE:

Diamond-Surfaced Femoral Head for Use in a Prosthetic Joint

Assistant Commissioner for Patents
Washington, DC 20231

DECLARATION FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention as entitled above and the specification of which is filed herewith. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby appoint Daniel P. McCarthy (Reg. No. 36,600) and Lloyd W. Sadler (Reg. No. 40,154) as my representatives and attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All communications should be directed to Mr. McCarthy at the following address or telephone number:

Daniel P. McCarthy
McCarthy & Sadler, LC
39 Exchange Place
Suite 100

Salt Lake City, Utah 84111
(801) 323-9399

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: **Bill J. Pope**

Both residence and postal address of inventor:

Address: 461 Hobble Creek Road
City: Springville
State: Utah
Zip Code 84663
Country: USA
Citizenship: USA

Inventor's Signature:

Date:

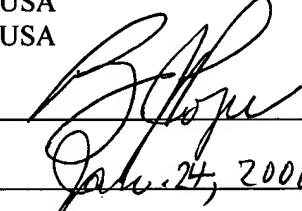
Full name of inventor:

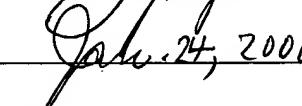
Both residence and postal address of inventor:

Address: 5502 Saint Francis Circle West
City: Loomis
State: California
Zip Code 95650
Country: USA
Citizenship: USA

Inventor's Signature:

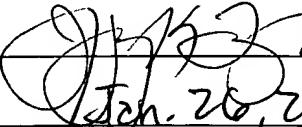
Date:

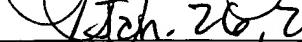




Jeffrey K. Taylor

Jeffrey K. Taylor





Jeffrey K. Taylor

Full name of inventor:

Richard H. Dixon

Both residence and postal address of inventor:

Address:

3608 North 180 East

City:

Provo

State:

Utah

Zip Code

84604

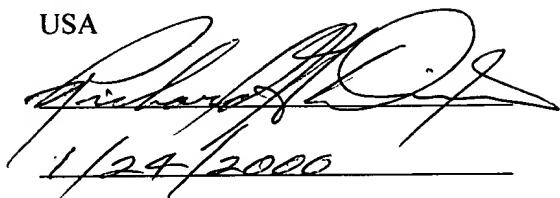
Country:

USA

Citizenship:

USA

Inventor's Signature:



Richard H. Dixon

1/24/2000

Full name of inventor:

Clayton F. Gardinier

Both residence and postal address of inventor:

Address:

668 East 2000 North

City:

Orem

State:

Utah

Zip Code

84097

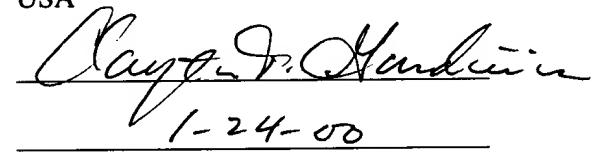
Country:

USA

Citizenship:

USA

Inventor's Signature:



Clayton F. Gardinier

1-24-00

Date:

Full name of inventor:

Louis M. Pope

Both residence and postal address of inventor:

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1681 North 1820 West

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Provo

State:

Utah

Zip Code

84604

Country:

USA

Citizenship:

USA

Inventor's Signature:

Louis M. Pope

01/24/00

Date:

Full name of inventor:

Dean C. Blackburn

Both residence and postal address of inventor:

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1125 East 400 South

City:

Springville

State:

Utah

Zip Code

84663

Country:

USA

Citizenship:

USA

Inventor's Signature:

Dean Blackburn

Date:

Jan 27, 2000

Full name of inventor:

Michael A. Vail

Both residence and postal address of inventor:

Address:

5008 Marilyn Drive

City:

Salt Lake City

State:

Utah

Zip Code

84117

Country:

USA

Citizenship:

USA

Inventor's Signature:

Michael A. Vail

Date:

Jan 26, 2000

Full name of inventor:

Kenneth M. Jensen

Both residence and postal address of inventor:

Address:

275 East 1075 North

City:

Springville

State:

Utah

Zip Code

84663

Country:

USA

Citizenship:

USA

Inventor's Signature:

Kenneth M. Jensen

Date:

Jan 28, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC710 U.S. PTO
09/494240
01/30/00

INVENTOR: Bill J. Pope
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Richard H. Dixon
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Louis M. Pope
Dean C. Blackburn
Michael A. Vail
Kenneth M. Jensen

ASSIGNEE: Diamicron, Inc.

DOCKET: 6056 P

TITLE: Diamond-Surfaced Femoral Head for Use in a Prosthetic Joint

Assistant Commissioner for Patents
Washington, DC 20231

**VERIFIED STATEMENT (DECLARATION)
CLAIMING SMALL ENTITY STATUS**

**--INDEPENDENT INVENTOR--
(37 CFR 1.9(c) and (f) and 1.27(b))**

As the below named inventor, I hereby declare that I qualify as independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention as entitled above and as described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and are under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the due date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any

patent issuing thereon, or any patent to which this verified statement is directed.

John M. Pope
Signature of Inventor

Jan 24 '00
Date

John M. Pope
Signature of Inventor

Jan 24, 2000
Date
Richard J. Hardin
Signature of Inventor

1/24/2000
Date

Clayton J. Hardin
Signature of Inventor

1-24-00
Date

Mark W. Codd
Signature of Inventor

Jan 26, 2000
Date

John M. Pope
Signature of Inventor

Jan 26, 2000
Date

Mark W. Codd
Signature of Inventor

Jan 27, 2000
Date

Kenneth M. Pope
Signature of Inventor

Jan 28, 2000
Date

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**VERIFIED STATEMENT (DECLARATION)
CLAIMING SMALL ENTITY STATUS**

**--SMALL BUSINESS CONCERN--
(37 CFR 1.9(f) and 1.27(c))**

I hereby declare that I am an official of the small business concern identified below and that I am empowered to act on behalf of said concern:

NAME OF CONCERN: Diamicron, Inc.

ADDRESS OF CONCERN: 1186 South 1680 West
Orem, Utah 84058

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office in that the number of employees of the business concern does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control

the other, or a third party controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention whose title is shown above by the inventors.

I acknowledge the duty of the small business concern to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the due date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Richard H. Dixon

TITLE OF PERSON SIGNING:

V.P. and General Mgr.

ADDRESS:

1186 South 1680 West
Orem, Utah 84058

SIGNATURE:

Richard H. Dixon

DATE:

1/24/2000